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Attorneys for Defendant

CITY OF RANCHO CORDOVA

*Exempt from filing fee pursuant to Government Code section 6103*

**UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA**

BRIAN R. DECKER, an Individual,

Plaintiff,

vs.

COUNTY OF SACRAMENTO, a Municipal Corporation; SACRAMENTO COUNTY SHERIFF'S OFFICE, SCOTT R. JONES, in his official capacity as Sacramento County Sheriff; SACRAMENTO MUNICIPAL UTILITY DISTRICT, a Municipal Utility District; ROBERT DUGGAN, in his official capacity as an employee of SMUD; CITY OF RANCHO CORDOVA, a Municipal Corporation; CITY OF RANCHO CORDOVA POLICE DEPARTMENT, BRANDON M. LUKE in his official capacity as Chief of Police, for the Rancho Cordova Police Department; GEORGE PARSONS, in his official capacity as a Sacramento County Sheriff's Deputy and/or a Rancho Cordova Police Officer; JEFF COUCH, in his official capacity as a Sacramento County Sheriff's Deputy and/or a Rancho Cordova Police Sergeant; and DOES 1 TO 50, inclusive.

Defendants.

**CASE NO.: 2:24-cv-00021-DJC-AC**

**STIPULATION AND ORDER ALLOWING PLAINTIFF BRIAN R. DECKER TO FILE SECOND AMENDED COMPLAINT AND EXTENDING TIME FOR DEFENDANTS COUNTY OF SACRAMENTO, SCOTT R. JONES, SACRAMENTO MUNICIPAL UTILITY DISTRICT, ROBERT DUGGAN, CITY OF RANCHO CORDOVA, BRANDON M. LUKE, GEORGE PARSONS, AND JEFF COUCH TO RESPOND TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

Complaint filed: 11/04/2021

1 WHEREAS, Plaintiff BRIAN R. DECKER (“Plaintiff”), Defendants CITY OF RANCHO  
2 CORDOVA, COUNTY OF SACRAMENTO (also sued as “SACRAMENTO COUNTY SHERIFF’S  
3 OFFICE”), SCOTT R. JONES, SACRAMENTO MUNICIPAL UTILITY DISTRICT, ROBERT  
4 DUGGAN, CITY OF RANCHO CORDOVA, BRANDON M. LUKE, GEORGE PARSONS, AND JEFF  
5 COUCH (“Defendants”) (Plaintiff and Defendants will be collectively referred to as “Parties”) have been  
6 meeting and conferring regarding Defendants’ responsive pleading in this matter, including a potential  
7 Motion to Dismiss.

8 WHEREAS, Counsel for Defendants CITY OF RANCHO CORDOVA, BRANDON M. LUKE,  
9 GEORGE PARSONS, AND JEFF COUCH (collectively, “City Defendants”) provided Plaintiff’s counsel  
10 with authority supporting the City Defendants’ anticipated Motion to Dismiss. Additionally, counsel for  
11 the City Defendants provided Plaintiff’s counsel with a Declaration of Defendant Brandon M. Luke to  
12 meet and confer regarding dismissal of Brandon M. Luke from this case.

13 WHEREAS, Plaintiff’s counsel indicated he would review the authorities described above and  
14 possibly amend the First Amended Complaint (“FAC”) after reviewing the authorities.

15 WHEREAS, the Parties previously stipulated to extend Defendants’ deadline to file a responsive  
16 pleading in this matter to March 7, 2024, while Plaintiff’s counsel reviewed relevant legal authorities.

17 WHEREAS, Plaintiff’s counsel has indicated to counsel for the City Defendants that he will file a  
18 Second Amended Complaint (“SAC”) in this matter addressing the issues raised during the meet and  
19 confer process.

20 WHEREAS, Plaintiff’s counsel has also met and conferred with the County Defendants regarding  
21 the County Defendants’ anticipated Motion to Dismiss the FAC.

22 WHEREAS, a responsive pleading filed by any of the Defendants in this matter will be rendered  
23 moot when Plaintiff files his SAC.

24 WHEREAS, Plaintiff’s counsel indicated he will not be able to file the SAC before March 7, 2024,  
25 the current deadline for Defendants to file a responsive pleading.

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27 ///

1 THEREFORE, IT IS HEREBY STIPULATED, by and between the Parties, by and through their  
2 respective undersigned counsel:

- 3 1. That there is good cause for Plaintiff to file a SAC;  
4 2. That the time for Defendants herein to respond to the FAC shall be extended up to and  
5 including **April 11, 2024**.

6  
7  
8  
9 **IT IS SO STIPULATED.**

10  
11 Dated: 3/1/2024

GORMAN LAW OFFICE

12  
13 By /s/ Alexander Gorman

14 A. Alexander Gorman  
15 Attorney for Plaintiff BRIAN R. DECKER

16 Dated: 3/1/2024

17 PORTER SCOTT  
18 A PROFESSIONAL CORPORATION

19 By: /s/ Alison J. Southard

20 William E. Camy  
21 Alison J. Southard  
22 Attorneys for Defendants  
23 CITY OF RANCHO  
24 CORDOVA, BRANDON M.  
25 LUKE, GEORGE  
26 PARSONS, JEFF COUCH  
27  
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1  
2 Dated: 3/1/2024

RIVERA HEWITT PAUL LLP

3  
4 By: /s/ Jonathan B. Paul  
5 Jonathan B. Paul  
6 Attorney for Defendants COUNTY OF  
SACRAMENTO AND SCOTT JONES

7  
8 Dated: 3/1/2024

LEWIS BRISBOIS BISGAARD &  
SMITH LLP

9  
10  
11 By: /s/ Jeffrey Schultz  
12 Jeffrey Schultz  
13 John Poulos  
14 Attorneys for Defendants SACRAMENTO  
MUNICIPAL UTILITY DISTRICT and  
ROBERT DUGGAN

**ORDER**

Having reviewed the STIPULATION among the Parties and finding good cause therefore, it is hereby ordered that:

1. That there is good cause for Plaintiff to file a SAC;
2. Plaintiff shall file the SAC within 21 days of the signing of this Order;
3. That the time for Defendants herein to respond to the FAC shall be extended up to and including **April 11, 2024**.

**IT IS SO ORDERED.**

Dated: March 7, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE